

1 AN ACT in relation to gambling.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Riverboat Gambling Act is amended by  
5 changing Section 7 as follows:

6 (230 ILCS 10/7) (from Ch. 120, par. 2407)

7 Sec. 7. Owners Licenses.

8 (a) The Board shall issue owners licenses to persons,  
9 firms or corporations which apply for such licenses upon  
10 payment to the Board of the non-refundable license fee set by  
11 the Board, upon payment of a \$25,000 license fee for the  
12 first year of operation and a \$5,000 license fee for each  
13 succeeding year and upon a determination by the Board that  
14 the applicant is eligible for an owners license pursuant to  
15 this Act and the rules of the Board. A person, firm or  
16 corporation is ineligible to receive an owners license if:

17 (1) the person has been convicted of a felony under  
18 the laws of this State, any other state, or the United  
19 States;

20 (2) the person has been convicted of any violation  
21 of Article 28 of the Criminal Code of 1961, or  
22 substantially similar laws of any other jurisdiction;

23 (3) the person has submitted an application for a  
24 license under this Act which contains false information;

25 (4) the person is a member of the Board;

26 (5) a person defined in (1), (2), (3) or (4) is an  
27 officer, director or managerial employee of the firm or  
28 corporation;

29 (6) the firm or corporation employs a person  
30 defined in (1), (2), (3) or (4) who participates in the  
31 management or operation of gambling operations authorized

1 under this Act;

2 (7) (blank); or

3 (8) a license of the person, firm or corporation  
4 issued under this Act, or a license to own or operate  
5 gambling facilities in any other jurisdiction, has been  
6 revoked.

7 (b) In determining whether to grant an owners license to  
8 an applicant, the Board shall consider:

9 (1) the character, reputation, experience and  
10 financial integrity of the applicants and of any other or  
11 separate person that either:

12 (A) controls, directly or indirectly, such  
13 applicant, or

14 (B) is controlled, directly or indirectly, by  
15 such applicant or by a person which controls,  
16 directly or indirectly, such applicant;

17 (2) the facilities or proposed facilities for the  
18 conduct of riverboat gambling;

19 (3) the highest prospective total revenue to be  
20 derived by the State from the conduct of riverboat  
21 gambling;

22 (4) the good faith affirmative action plan of each  
23 applicant to recruit, train and upgrade minorities in all  
24 employment classifications;

25 (5) the financial ability of the applicant to  
26 purchase and maintain adequate liability and casualty  
27 insurance;

28 (6) whether the applicant has adequate  
29 capitalization to provide and maintain, for the duration  
30 of a license, a riverboat; and

31 (7) the extent to which the applicant exceeds or  
32 meets other standards for the issuance of an owners  
33 license which the Board may adopt by rule.

34 (c) Each owners license shall specify the place where

1 riverboats shall operate and dock.

2 (d) Each applicant shall submit with his application, on  
3 forms provided by the Board, 2 sets of his fingerprints.

4 (e) The Board may issue up to 10 licenses authorizing  
5 the holders of such licenses to own riverboats. In the  
6 application for an owners license, the applicant shall state  
7 the dock at which the riverboat is based and the water on  
8 which the riverboat will be located. The Board shall issue 5  
9 licenses to become effective not earlier than January 1,  
10 1991. Three of such licenses shall authorize riverboat  
11 gambling on the Mississippi River, one of which shall  
12 authorize riverboat gambling from a home dock in the city of  
13 East St. Louis, and one of which shall authorize riverboat  
14 gambling on the Mississippi River or in a municipality that  
15 (1) borders on the Mississippi River or is within 5 miles of  
16 the city limits of a municipality that borders on the  
17 Mississippi River and (2) on the effective date of this  
18 amendatory Act of the 92nd General Assembly has a riverboat  
19 conducting riverboat gambling operations pursuant to a  
20 license issued under this Act. One other license shall  
21 authorize riverboat gambling on the Illinois River south of  
22 Marshall County. The Board shall issue one additional  
23 license to become effective not earlier than March 1, 1992,  
24 which shall authorize riverboat gambling on the Des Plaines  
25 River in Will County. The Board may issue 4 additional  
26 licenses to become effective not earlier than March 1, 1992.  
27 In determining the water upon which riverboats will operate,  
28 the Board shall consider the economic benefit which riverboat  
29 gambling confers on the State, and shall seek to assure that  
30 all regions of the State share in the economic benefits of  
31 riverboat gambling.

32 In granting all licenses, the Board may give favorable  
33 consideration to economically depressed areas of the State,  
34 to applicants presenting plans which provide for significant

1 economic development over a large geographic area, and to  
2 applicants who currently operate non-gambling riverboats in  
3 Illinois. The Board shall review all applications for owners  
4 licenses, and shall inform each applicant of the Board's  
5 decision.

6 The Board may revoke the owners license of a licensee  
7 which fails to begin conducting gambling within 15 months of  
8 receipt of the Board's approval of the application if the  
9 Board determines that license revocation is in the best  
10 interests of the State.

11 (f) The first 10 owners licenses issued under this Act  
12 shall permit the holder to own up to 2 riverboats and  
13 equipment thereon for a period of 3 years after the effective  
14 date of the license. Holders of the first 10 owners licenses  
15 must pay the annual license fee for each of the 3 years  
16 during which they are authorized to own riverboats.

17 (g) Upon the termination, expiration, or revocation of  
18 each of the first 10 licenses, which shall be issued for a 3  
19 year period, all licenses are renewable annually upon payment  
20 of the fee and a determination by the Board that the licensee  
21 continues to meet all of the requirements of this Act and the  
22 Board's rules. However, for licenses renewed on or after May  
23 1, 1998, renewal shall be for a period of 4 years, unless the  
24 Board sets a shorter period.

25 (h) An owners license shall entitle the licensee to own  
26 up to 2 riverboats. A licensee shall limit the number of  
27 gambling participants to 1,200 for any such owners license. A  
28 licensee may operate both of its riverboats concurrently,  
29 provided that the total number of gambling participants on  
30 both riverboats does not exceed 1,200. Riverboats licensed to  
31 operate on the Mississippi River and the Illinois River south  
32 of Marshall County shall have an authorized capacity of at  
33 least 500 persons. Any other riverboat licensed under this  
34 Act shall have an authorized capacity of at least 400

1 persons.

2 (i) A licensed owner is authorized to apply to the Board  
3 for and, if approved therefor, to receive all licenses from  
4 the Board necessary for the operation of a riverboat,  
5 including a liquor license, a license to prepare and serve  
6 food for human consumption, and other necessary licenses.  
7 All use, occupation and excise taxes which apply to the sale  
8 of food and beverages in this State and all taxes imposed on  
9 the sale or use of tangible personal property apply to such  
10 sales aboard the riverboat.

11 (j) The Board may issue a license authorizing a  
12 riverboat to dock in a municipality or approve a relocation  
13 under Section 11.2 only if, prior to the issuance of the  
14 license or approval, the governing body of the municipality  
15 in which the riverboat will dock has by a majority vote  
16 approved the docking of riverboats in the municipality. The  
17 Board may issue a license authorizing a riverboat to dock in  
18 areas of a county outside any municipality or approve a  
19 relocation under Section 11.2 only if, prior to the issuance  
20 of the license or approval, the governing body of the county  
21 has by a majority vote approved of the docking of riverboats  
22 within such areas.

23 (l) Any owners license issued on or after the effective  
24 date of this amendatory Act of the 93rd General Assembly that  
25 authorizes gambling under this Act from a home dock in a  
26 municipality with a population of more than 500,000  
27 inhabitants shall be issued only to the governing board of  
28 the municipality. No such license may be awarded to any other  
29 person or entity. If a license is issued to the governing  
30 board of a municipality pursuant to this subsection (l), that  
31 governing board shall conduct an auction and grant the  
32 opportunity to manage the riverboat gambling operations  
33 authorized by that license to the highest qualified bidder.

34 (Source: P.A. 91-40, eff. 6-25-99; 92-600, eff. 6-28-02.)

1           Section 99. Effective date. This Act takes effect upon  
2 becoming law.